

Exhibit B
**Index of State Court
Documents and
Attached State Court
Documents**

Index of Each Pleading, Answer, and all Process and
Orders in the State Court Action

1. Original Petition in the state court action filed April 12, 2022;
2. Citation (Small Claims Case) dated April 25, 2022;
3. Certificate of Service of Small Claims Citation dated April 25, 2022;
4. Service Return reflecting service on May 3, 2022 and filed May 16, 2022;
5. Defendant's Original Answer dated May 10, 2022.

Original Petition

Small Claims PetitionNO. 225100121268ROGER FOUNTAIN

Plaintiff(s)

§ In the Justice Court of Harris County, Texas

§ Precinct 5 Place 1

§

vs.

§

CAWLEY AND BERGMANN LLC

§

§

Defendant(s)

§

Plaintiff: ROGER FOUNTAIN

Describe the legal nature of the plaintiff (e.g., individual, sole proprietorship, partnership, corporation)

INDIVIDUALDefendant: CAWLEY AND BERGMANN LLCAddress: 550 BROAD STREET SUITE 1001City: NEWARKState: NJ Zip: 07102Date of Birth (if applicable): N/A

Describe the legal nature of the defendant (e.g., individual, sole proprietorship, partnership, corporation)

CORPORATION

*Defendant may be served by serving CORPORATION SERVICE COMPANY
 (state the name of the defendant if defendant is an individual, or state the name and title of the person who is authorized to receive service of process for the defendant if defendant is a partnership, limited partnership, corporation, or limited liability company), who may be served at

PRINCETON SOUTH CORPORATE CENTER, 100 CHARLES EWING BLVD, STE 160
 (state the address for service of process).

EWING, NJ 08102
 The defendant's usual place of business or residence, or other place where defendant can probably be found is

550 BROAD STREET SUITE 1001 NEWARK, NJ 07102

Cause of Action

(State the cause of action in plain and concise language, sufficient to give fair notice of the claim and to provide enough information to enable the defendant to prepare a defense. You may include information showing venue is proper in the Justice of the Peace Precinct in which you are filing. If you are seeking personal property, you must describe the property and state the value of the property.)

PHONE CALLS ON APRIL 11, 2022 IN VIOLATION OF
THE TCPA AND TEXAS' DNC REGISTRY

Relief Requested (Describe the relief you are requesting, itemizing the amount of damages you are seeking.)

\$20,000.00 FOR EMOTIONAL DAMAGES

Respectfully submitted,

Signature of Plaintiff or Plaintiff's Attorney of Record

Printed Name: ROGER FOUNTAIN

State Bar No. _____

Address: 8524 HWY 6 N #419HOUSTON, TX 77095Telephone: 972-890-4059

Fax Number: _____

E-Mail Address: rcfountain@live.com

☒ Plaintiff consents to the e-mail service of the answer and any other motions or pleadings to this e-mail address.

1027 APR 12 PM 3:00
 a

Citation (Small Claims Case)

Case Number: 225100121268

Roger Fountain
Plaintiff
vs.
Cawley and Bergman LLC
Defendant

§
§
§
§
§
§
§

In the Justice Court
Harris County, Texas
Precinct 5, Place 1
6000 Chimney Rock Road
Suite 102
Houston, TX 77081
713-274-8700
www.jp.hctx.net

Citation (Small Claims Case)

THE STATE OF TEXAS
COUNTY OF HARRIS

TO: ANY SHERIFF, CONSTABLE, PROCESS SERVER CERTIFIED UNDER ORDER OF THE SUPREME COURT, OTHER PERSON AUTHORIZED BY COURT ORDER, OR CLERK:

Deliver this citation, together with a copy of the petition, to:

Cawley and Bergman LLC By Serving
Corporation Service Company,
Princeton South Corporate Center
100 Charles Ewing Blvd Ste 160
Ewing NJ 08628

Alternative Service Address
550 Broad Street Suite 1001
Newark, NJ 07102

TO THE DEFENDANT:

You have been sued. You are commanded to appear by filing a written answer to the petition filed by Plaintiff with the Clerk of the Court on or before the end of the 14th day after the date of service of this citation. In your answer, please provide an email address if you consent to email service of any pleadings or other documents in your case. If you fail to file an answer as required, a judgment by default may be rendered for the relief demanded in the petition.

Date Petition Filed: 04/12/2022

Nature of demand made by Plaintiff(s): money owed in the amount of \$20,000.00. A copy of the petition is attached.

Notice

You have been sued. You may employ an attorney to help you in defending against this lawsuit. But you are not required to employ an attorney. You or your attorney must file an answer with the court. Your answer is due by the end of the 14th day after the day you were served with these papers. If the 14th day is a Saturday, Sunday, or legal holiday, your answer is due by the end of the first day following the 14th day that is not a Saturday, Sunday, or legal holiday. Do not ignore these papers. If you do not file an answer by the due date, a default judgment may be taken against you. For further information, consult the Texas Rules of Civil Procedure, Part V, Rules of Practice in Justice Courts. A copy of the Rules is available at <http://www.jp.hctx.net/> or at the Justice Court.

Date: 4/25/2022



/s/ Christopher Luna
Clerk of the Court
Harris County Justice Court
Precinct 5, Place 1

Address of Plaintiff
8524 HWY 6 N #419
Houston TX 77095
Phone Number: 972-890-4059

Certificate of Service

Plaintiff

Rosen Fountain

VS

Defendant

Cawley and Bergman LLC

CERTIFICATE OF SERVICE

CASE # 225100121268I HEREBY CERTIFY THAT ON THIS 25th DAY OF April, 2022,

I HAVE DELIVERED A TRUE AND CORRECT COPY OF

(document/filing) Small Claims CitationBY: (means of delivery) Certified Mail

TO THE FOLLOWING:

Cawley and Bergman LLC
through Corporation Service Company
NAME100 Charles Ewing Blvd Ste 160
ADDRESSEwing NJ 07102
CITY STATE ZIP7019 2970 0002 2454 9980
CERTIFIED RECEIPT NUMBER

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ <u>6.53</u>	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ <u>3.05</u>	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ <u>3.75</u>	
Total Postage and Fees \$ <u>7.33</u>	
Sent To <u>Corporation Service Company</u>	
Street and Apt. No., or PO Box No. <u>100 Charles Ewing Blvd Ste 160</u>	
City, State, ZIP+4® <u>Ewing NJ 07102</u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Sworn and Subscribed before me this 25th day of April, 2022.

Clerk of the Court / Notary Public



Service Return

USPS TRACKING#



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 4535 8278 9481 44

United States
Postal Service



Judge Israel B. García, Jr.

Justice of the Peace, Precinct 5 Place 1

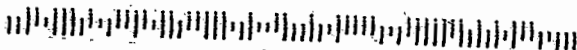
Harris County, Texas

6000 Chimney Rock, Suite 102

Houston, Texas 77081

FILED
JUDGE ISRAEL B. GARCIA, JR.
PRECINCT 5 PLACE 1
HARRIS COUNTY, TEXAS

2022 MAY 16 PM 12:18



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Corporation Service
Company
100 Charles Ewing Blvd Ste
Ewing, NJ 07102 160



9590 9402 4535 8278 9481 44

2. Article Number (Transfer from service label)

7019 2970 0002 2454 9980

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Lisa Conslar

☐ Agent

☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

5/3/22

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☒ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☒ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☒ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☒ Signature Confirmation Restricted Delivery

Defendant's Original Answer

Case No. 225100121268

Roger Fountain,	§	IN THE JUSTICE COURT
Plaintiff	§	
vs.	§	PRECINCT 5, PLACE 1
Cawley and Bergmann LLC,	§	HARRIS COUNTY, TEXAS
Defendant.	§	

DEFENDANT'S ORIGINAL ANSWER**TO THE HONORABLE JUDGE OF SAID COURT:**

Defendant hereby answers Plaintiff's Original Petition as follows:

1. Pursuant to Tex. R. Civ. P. 92, Defendant generally denies the allegations contained in Plaintiff's Original Petition and demands strict proof thereof.

2. As further answer, Defendant asserts the defense of setoff and asserts that any claim by Plaintiff must be set off against the sums owed by Plaintiff to Defendant.

3. Defendant specially denies that Plaintiff has suffered any damages.

4. Defendant is a limited liability company without Social Security Numbers or driver's license numbers.

WHEREFORE, premises considered, Defendant prays for judgment that Plaintiff take nothing by his suit, for all costs of this proceeding, and for such other and further relief to which it may be justly entitled.

Respectfully submitted,

/s/ Liara Silva

Manuel H. Newburger
TX Bar No. 14946500
Liara A. Silva
TX Bar No. 24117923
Barron & Newburger, P.C.
7320 N. MoPac Expy., Suite 400
Austin, Texas 78731
Ph: (512) 476-9103
Fax: (512) 279-0310
mnewburger@bn-lawyers.com
lsilva@bn-lawyers.com

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of May, 2022, a true and correct copy of the foregoing has been served on the following:

Plaintiff:

Roger Fountain

8524 HWY 6 N #419

Houston, Texas 77095

Email: rcfountain@live.com

- ____ By hand delivery
 X By postage prepaid, first class mail
 X By the Court's electronic document filing system and/or by e-mail transmission
____ By courier receipted delivery

/s/ Liara Silva

Liara Silva